

REMARKSClaim amendments

Claims 10, 19, 25, 31 and 39 have been amended to further clarify use of the monoclonal antibody 26-10 "as deposited with ATCC under HB-8120". Support for the amendment can be found in the paragraph at page 3, line 18 of the subject specification, as amended in the Amendment mailed to the U.S. Patent and Trademark Office on February 22, 2005.

Rejection of Claims 10, 19, 25, 31 and 39 under 35 U.S.C. §112, second paragraph

Claims 10, 19, 25, 31 and 39 are rejected under 35 U.S.C. §112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, page 2). Specifically, the Examiner states that Claims 10, 19, 25, 31 and 39 recite "a monoclonal antibody by its lab designation 26-10" which renders the claim scope uncertain "since the lab designation can always change" (Office Action, page 2). The Examiner "respectfully suggests that applicant amend the claims to include the limitation -as deposited with ATCC under HB8120-" (Office Action, page 2).

Applicants' Attorney thanks the Examiner for the suggestion for amending the claims to overcome the rejection. Claims 10, 19, 25, 31 and 39 have been amended as suggested by the Examiner, thereby obviating the rejection.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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